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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,119	12/20/2000	Jerome H. Simon	04870-P22US	6412
26486	7590	10/03/2002		
PERKINS, SMITH & COHEN LLP ONE BEACON STREET 30TH FLOOR BOSTON, MA 02108			EXAMINER	
			ZEADE, BERTRAND	
		ART UNIT	PAPER NUMBER	
		2875		

DATE MAILED: 10/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	SIMON, JEROME H.
Examiner	Art Unit
Bertrand Zeade	2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 01 July 2002.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1-7, 11-25, 34 and 35 is/are allowed.
- 6) Claim(s) 26-33 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____.
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)
3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) Other: _____

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DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 8-10,26-33 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

2. *The following is a quotation of the first paragraph of 35 U.S.C. 112:*

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 8-10 rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In claim 8, lines 3 the subject matter "two canted lens ring segments" lacks any structure to support its state function. The scope of the specification does not provide an explanation to enable one skilled in the art to present a complete operative device.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 26-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Simon (US. 5,897,201).

Simon ('201) discloses an architectural lighting distributed from contained radially collimated light having:

Regarding claims 26-27, a quasi point light source (12); a radially collimating ring lens only partially surrounding the light source (12); a reflector (110 or 112 or 88) on the other side of the light source from the ring lens (12) arranged to reflect light in the same radial plane as projected by the ring lens (see figs. 23, 9, 20, 37, 38).

Regarding claim 28, the light assembly is constructed and arranged so that reflected in a radial plane parallel to the radial plane of the ring lens (12).

Regarding claim 29, a quasi point light source (1), and an optical system including a plurality of radially collimating ring lenses (12), concentric with one another and the light source (1), the ring lenses (12) being offset vertically with respect to one another.

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Regarding claim 30, a quasi point light source (1); a radially collimating ring lens (12) at least partially surrounding the light source ($\frac{1}{2}$); a refracting ring (20) at least partially surrounding the ring lens (12) and having an inner surface (14) and outer surface (16) being formed into a multiplicity of zones, at least some of the zones having multiple lenses (see figs. 3, 5) therein, the lenses of each zone being of greater power than the lenses of adjacent zones.

Regarding claim 31, the reflector (28) on the other side of the source from the refracting (20).

Regarding claim 32, a lighting assembly being constructed and arranged to that a defined geometric area on the illuminated surface is evenly lighted (see figs. 10-12).

Regarding claim 33, the refracting ring (20) has sections which have different amounts of light diverging power so as to provide uniform lighting on the ground plane (see figs. 20-30).

Allowable Subject Matter

5. Claims 1-7, 11-25, 34-35 are allowed.
6. The following is an examiner's statement of reasons for allowance: The prior art of record neither teach nor show a second optical element for receiving light arrays and directing the rays to impinge upon the surface at a position radially or concentrically closer to the lens system than the rays from the ring lens, and two radially collimating Fresnel ring lenses adjacent each other; a quasi point light source common to the lenses and arranged in the vicinity where the lenses are

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closest to one another, a reflector assembly, having three reflector sections, one being parabolic and projecting a collimated beam and the other two sections being ellipsoidal and projecting a combined converging beam.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bertrand Zeade whose telephone number is (703) 308-6084. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea, can be reached on (703) 305-4939. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3432.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Examiner: Bertrand Zeade

September 30, 2002.


Stephen Husar
Primary Examiner